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EE Certified Ally, NJ Supreme Court

August 2, 2023

By ECF
The Honorable Denise Cote
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Denise Cote
8/3/23

Re: Leonel Pena v. Cajun Express Inc. and Vista Yacht Cruises, Inc.
Docket No: 22-cv-1125-DLC

Dear Judge Cote:

We represent the plaintiff in this case.

This letter motion is being filed regarding Plaintiff's Notice for Depositions of defendant's employees' Fernando Hernandez for August 7, 2023 at 11:00 a.m. and Eva Lee at 2:00 p.m. Defendant is objecting to producing the witnesses because the cutoff date for factual discovery is August 4. The Notices were served July 27, 2023.

These are witnesses to the incident and, after taking the depositions of Captain Monge (July 25, 2023) and Mr. Victor Becker, (July 27, 2023) we determined that these witnesses should be deposed.

We are asking the Court to enter an Order permitting plaintiff to hold these short depositions on the date noticed or any date convenient to defendant. We have met and conferred in good faith with defendant's counsel and could not resolve the dispute.

These depositions will not affect any other scheduled dates.

Thank you for your consideration in this matter.

Respectfully,

Lawrence Goldhirsch

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